THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.21529 OF 2006

DATED: 20-02-2007

Between:

G.Krishna Murthy

. . .Petitioner

and

The Government of Andhra Pradesh,
Law Department, Secretariat,
Hyderabad and another

. . .Respondent

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.21529 OF 2006

O R D E R:

The learned counsel appearing for the petitioner as well as the respondents fairly submit that similar impugned orders, dated 16.07.1997 and 24.03.1998 were set aside by a learned Single Judge of this Court in W.P.No.12543 of 1998, dated 07.06.2005, and the petitioner therein was restored to the rolls of the membership of the Welfare Fund and shall be paid the benefits, which he may be entitled to by virtue of he being a member thereof. The said order was also confirmed by a Division Bench of this Court in Writ Appeal No.1328 of 2005, dated 02.09.2005.

The learned counsel appearing for the respondents submits that the petitioner approached this Court belatedly and therefore, the same benefit may not be given to him.

Though similar impugned orders were finally set aside and held in favour of similarly situated persons only in 2005, the relief claimed by the petitioner cannot be thrown out only on the ground that he approached this Court in 2006 i.e. after disposal of the similar writ petition.

In view of the facts and circumstances of the case and as the subject matter of the writ petition is squarely covered by the aforesaid

judgment, the writ petition is allowed in terms of the order of this Court in Writ Petition No.12543 of 1998 as was confirmed by the Division Bench of this Court in Writ Appeal No.1328 of 2005. No order as to costs.

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V.ESWARAIAH, J

20th FEBRUARY, 2007

Note: issue c.c. in one week.

b/o

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